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09/650,355	08/29/2000	Andrea Basso	1999-0522A	8247

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EXAMINER
HUYNH, SON P

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/650,355	BASSO ET AL.
		Examiner	Art Unit
		Son P. Huynh	2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 November 2004</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>29 August 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *12/21/04; 3/29/01*.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed on 11/26/2004 have been fully considered but they are not persuasive.

2.   In response to applicant's argument that there is no suggestion to combine the references (page 2, paragraph 2, lines 6-7), the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Sezan discloses multimedia data (audiovisual program) are input from any suitable source, such as for example video disk, video tape, <u>video cameras</u>, etc. (col. 7, lines 55-67). The received multimedia data is processed and output to a screen based on multimedia data (program) description scheme and user reference (figures 2, 7-8; col. 8, lines 8-67), the system creates key-frames of the multimedia data and displays them on the screen (col. 8, lines 31-55). Chen also discloses a multimedia data are input from video source such as videos of weddings, parties, vacation, (video cameras), disk, video tape, etc. (col. 2, lines 14-25; col. 3, lines

29-35). The received multimedia data is processed and output to a screen based on the

program description scheme (e.g. nature of the shot, user reference, etc. (col. 2, lines

45-55). The system also creates key-frames of the multimedia data and displays them

on the screen (col. 3, lines 8-20). Thus, both references disclose multimedia data are

input from various video sources; both references also disclose processing the received

multimedia and output the processed multimedia to a screen based on program

description scheme and user reference; both references further disclose creating key-

frames from the received multimedia data and displaying them on the screen. Sezan

also discloses the multimedia data are input based on the user description scheme

which is generated by user input (col. 11, lines 29-67). However, Sezan does not

specifically disclose the multimedia data input directly from subscriber. Chen discloses

multimedia data input from subscriber (a user deliver a video of weddings, parties, to

the system for processing and the system processes the video based on user reference

and the video description – col. 2, lines 15-25, lines 45-67; col. 5, lines 6-30). Therefore,

it would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Sezan to use the teaching as taught by Chen in order to improve

accuracy in desired multimedia data to be inputted for processing thereby improve

efficiency in multimedia data generating. Thus, the combination of the references is

proper.

Applicant further argues Sezan fails to teach the step of "deriving virtual camera scripts

and coding hints from the image data (page 6, paragraph 2, lines 3-4, lines 7-8).

In response, the examiner respectfully disagrees. Sezan discloses the program

description scheme includes thumbnail, slide, highlights, time stamp, color profile,

motion profile, etc. The program description scheme enables users to have the

provision of discovering interesting programs that they may be unaware of by providing

a user description scheme. The program views in the program description scheme are a

feature that supports a functionality such as closed up view (col. 4, line 40-col. 5, line

12). The program description scheme describes the operations of content analyzer, key

frame summarizer, highlights summarizer, etc. have to execute based on the program

description such as key frame, highlights, time stamp, color histogram to be included in

the color profile, slide, etc. to transform the input multimedia into the desired image

sequence such as summary, slow motion, etc. (col. 6, lines 25-39; col. 8, line 30- col. 9,

line 25; col. 12, lines 30-47). Thus, the claimed feature of virtual camera scripts is

broadly met by information in the program description scheme such as color histogram,

camera settings and parameters, slide, etc. Sezan further discloses the description

program scheme comprises motion profiles, key frames, information regarding to

images such as analog or digital photograph or frame of a video, etc. (col. 4, line 40-

col. 5, line35). Sezan further discloses the description program comprises motion model

parameter. A transcoder (converter) of the description scheme my be employed

converted the received multimedia data into a format that fit to the user desired output

signal (for example, slow motion, digital signal, analog signal, etc. col. 13, lines 10-64).

Thus, the program description comprises coding hints so that the transcoder can

recognize to format of the input multimedia data and converts them to a desired output signal.

For the reasons given above, rejections on claims 1-27 are maintained as repeatedly discussed below.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1- 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan et al. (US 6,236,395, in view of Chen et al. (US 6,307,550).

Regarding claim 1, Sezan teaches a method for generating a customized coded video sequence based on a subscriber's input (user information scheme and system description scheme– figure 1 and col. 5, line 37-col. 6, line 22), comprising:

receiving multimedia input that includes image data (receiving multimedia input 38 that includes image data – figure 2);

extracting the image data from the multimedia input (by audiovisual program analysis module 42 – figure 2 and col. 8, lines 10-29);

deriving virtual camera scripts and coding hint from the image data (program description

scheme – col. 4, line 40-col. 5, line 35, col. 12, lines 28-47);

Sezan further discloses providing multimedia data based on a combination of a program

description scheme, a user description scheme and a system description scheme

(figures 1-2 and col. 29, lines 7-45). Necessarily, the method comprising: generating a

video sequence based on the subscriber's input (user description scheme), the

extracted image data, and the derived virtual camera scripts and coding hints (program

description scheme and system description scheme);

coding the generated video sequence based on the coding hints (e.g. repackage the

content and description schemes in different styles, times, and formats based on

system capabilities – col. 7, lines 30-49);

outputting the customized coded video sequence to an output device (e.g. display 80-

figure 2). Sezan also discloses program 38 may originate at any suitable source, such

as digital video disc, still images, video cameras, video tape, etc. (col. 7, lines 56-67).

However, Sezan does not specifically disclose multimedia input from the subscriber.

Chen discloses multimedia input from subscriber, and deriving virtual camera scripts

from the image data (col. 2, lines 1-55, and col. 5, lines 6-30). Therefore, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to

modify Sezan to use the teaching as taught by Chen in order to provide multimedia

input from subscriber to an output device thereby improve efficiency in multimedia data

generating.

Regarding claim 2, Sezan teaches receiving preference information from one of the

subscriber (col. 5, line 36-col. 6, line 22);

storing the preference information in a subscriber profile (e.g. user information 48,

system information 46 – figures 1- 2 and col. 8, lines 60-67); and

generating the video sequence based on the subscriber's profile (output video based on

user description scheme and system description scheme– col. 8, lines 30-67).

Regarding claim 3, Sezan discloses the user description scheme includes user's

personal preferences, device setting history, etc. (col. 5, lines 36-46). The system

description scheme manages the individual programs and other data; The management

may include the capabilities of a device for providing the audio, video, and/or images.

Such capabilities may include, for example, screen size, stereo, DTS, color, etc. (col. 6,

lines 22-37). Thus, the subscriber profile includes device characteristics.

Regarding claim 4, Sezan discloses a method as discussed in the rejection of claim 3.

Sezan further discloses user description scheme includes device setting history (col. 5,

lines 36-46, col. 11, lines 14-22). Necessarily, the format settings include at least one of

text font setting, text style setting, and display settings.

Regarding claim 5, Sezan teaches the coding preferences (e.g. key frames, segment

definitions between shots, etc. col. 4, line 40-col. 5, line 35) are used as coding hints

and include at least one of audio coding preferences and visual coding preferences (col. 4, line 40-col. 5, line 35).

Regarding claim 6, Sezan discloses user description scheme includes user's viewing history such as for example browsing history, filtering history, searching history, device setting history, etc. The user's personal preferences include personal information about the particular user, such as demographic and geographic information; program interest to user, viewing habit of the user, display contrast and volume control, etc. (col. 11, lines 7-22). Necessarily, the handicap settings include at least one of visual enhancement settings and audio enhancement setting (for example, the user set to display closed caption, display information of interest program, level of volume, etc.).

Regarding claim 7, Sezan discloses the user description scheme may include radio station preselected frequencies and/or types of stations (col. 7, lines 5-10). The program 38 may originate at any suitable source, such as Internet broadcast, World Wide Web, laser disc, digital video disc, etc. (col. 7, line 56-col. 8, line 3). Necessarily, the storage address of image data include at least one of computer image file, an image database, a Web page address, a URL, a floppy disk, a CD ROM.

Regarding claim 8, Sezan in view of Chen teaches a method as discussed in the rejection of claim 2. Chen further discloses the user may be prompted to pay a fee for initial processing, a fee for each still image selected, or a combination of an initial

processing and an image selection fee (col. 3, lines 1-7). Apparently, the subscriber's

profile includes billing information.

Regarding claim 9, Sezan teaches the coded video sequence output is a customized

advertisement (e.g. a 10 minutes of or merely the highlights of a basketball game –col.

3, lines 27-31, or list of recording sporting events including baseball and Soccer – col. 9,

line 56-col. 10, line 6).

Regarding claim 10, Sezan in view of Chen teaches a method as discussed in the

rejection of claim 2. Chen further discloses the coded video sequence output includes

one or more images based on the storage addresses of image data from the

subscriber's profile (figure 7 and col. 2, lines 15-36).

Regarding claim 11, Sezan in view of Chen teaches a method as discussed in the

rejection of claim 2. Sezan further discloses the user start interacting with the system

with a pointer or voice commands to indicate a desire to view a program (col. 9, lines

53-67). Necessarily, the subscriber provides multimedia data input and preference

information to the input unit using at least one of an interactive voice response system,

voice recognition system, a keyboard, a personal computer, a wireless communication

device.

Regarding claim 12, Sezan discloses the system description scheme includes

capabilities of the device (col. 6, lines 23-37). Thus, the subscriber's profile includes

information about the display devices owned by the subscriber.

Regarding claim 13, Sezan teaches the coded video sequence output is customized for

at least one of the devices included in the subscriber's profile (col. 7, lines 30-45).

Regarding claim 14, Sezan discloses the generation module 44 and the analysis

module 42 provide data to a data storage unit 50 (col. 9, lines 5-8). The selections of the

desired program(s) to be retrieved, stored, and/or viewed may be programmed (col. 9,

lines 20-22). Thus, the extracted image data is stored in an image data database (e.g.

database in storage unit 50). Sezan further discloses the program related information

may be extracted from the data stream including the program 38 or obtained from any

other source, such as for example data transferred over a telephone line, data already

transferred to the system 16 in the past, or data from an associated file. However,

Sezan does not specifically disclose storing virtual camera scripts in a virtual camera

scripts database, coding hints in a coding hints database. Official Notice is taken that

storing data in different database is well known in the art. Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify

Sezan and Chen to use the well-known teaching in the art of storing data in different

database in order to efficiently manage the data.

Regarding claim 15, Sezan discloses the selections of the desired program(s) to be

retrieved, stored, and/or viewed may be programmed, through a graphical user interface

(col. 9, lines 20-25). The user starts interacting with the system with a pointer or voice

commands to indicate a desire to view recorded sporting programs (col. 9, lines 54-67).

Thus, the method comprising receiving one or more input commands from a user,

wherein at least one of the steps of extracting, deriving, generating, coding and

outputting are performed based on the user's input commands.

Regarding claim 16, Sezan teaches the image data include image data from at least

one of images, a series of still frames, panorama images, web pages (figure 2 and col.

7, lines 55-67).

Regarding claim 17, Sezan discloses the program views defines logical structures of the

frames of a video that define how the video frames are potentially to be viewed suitable

for efficiency browsing. The program profiles defines distinctive characteristics of the

content of the program (col. 4, line 40-col. 5, line 30). Thus, the virtual camera scripts

include at least one of a sliding window of resolution, a document browsing simulation, a

general composition of images, and synthesized videos from a set of images, a

panorama synthesis, and parallax techniques.

Regarding claim 18, Sezan disclose individual shot of scenes, a key frame view as a part of a program providing multiple levels of summary ranging from coarse to fine. The program profile includes texture profile, shape profile, motion profile, etc. (col. 4, line 40-col. 5, line 36). Program description scheme of a particular program and system description scheme of the viewing system are utilized to present the appropriate views to the viewing system. The content provider repackage the content and description scheme in different styles, time, formats, etc. based on the system capabilities (col. 7, lines 16-49). Necessarily, the coding hints include at least one of motion information used to generate a sequence of frames, temporal evolution of each frame, and coding parameters for each image.

Regarding claim 19, Sezan discloses the content is generated in the format, styles, time, rendering, etc. based on system capabilities such as screen size, color, etc., program description and user description (col. 6, line 23-col. 7, line 49). Furthermore, Chen discloses analyzing the processed sequence of video frames to identify sub-fixel motions between the frames. The user can zoon in or out on different regions of the image, pan about a panoramic image or combination of pan and zoom (col. 8, lines 10-43). Necessarily, the generating step uses a rendering plug in to decode portions of the image data into pixel maps.

Regarding claim 20, Sezan teaches the generating step uses addresses (sources of

program, types of stations, etc. col. 4, line 40-col. 5, line 32, col. 7, lines 5-67) to

generate an image sequence.

Regarding claim 21, Sezan discloses program 38 may originate at any suitable source,

such as for example Internet broadcasts, world wide web, etc. (col. 7, lines 55-67).

Necessarily, the addresses include URLs (for access to world wide web).

Regarding claim 22, Sezan teaches the generating step generates the video sequence

from more than one multimedia source (figure 2 and col. 7, lines 50-67).

Regarding claim 23, Sezan teaches the multimedia sources include at least one of

television, cable TV, Interactive TV, Internet, telephone, computer generated images,

wireless communications, photographs and electronically stored still images (figure 2

and col. 7, lines 50-67).

Regarding claim 24, Chen teaches receiving an audio input (audio track) corresponding

to the generated video sequence (col. 5, lines 5-22).

Regarding claim 25, Chen teaches synchronizing the audio input with the generated

video sequence (col. 5, lines 5-22).

Regarding claim 26, Sezan in view of Chen teaches a method as discussed in the rejection of claim 1. Chen further discloses the video is input from subscriber and stored in storage before it is retrieved to process (col. 2, lines 15-36). Text annotations of the video may be generated automatically based on the corresponding audio track (col. 2, lines 46-48, col. 5, lines 3-9). The sound icon may be associated with the images in the video album. When a viewer clicks the sound icon 55, a portion of the audio track that corresponds to the video segment used to generate still image is played (col. 5, lines 9-22). Necessarily, the audio input is received from the subscriber, the audio input stored as at least one of a computer file and an address; the subscriber's audio input is stored in the subscriber's profile; the subscriber's audio input is retrieved; and subscriber's audio input is output in conjunction with the generated video sequence.

Regarding claim 27, Sezan in view of Chen teaches a method as discussed in the rejection of claim 1. Chen further teaches the coded video sequence is output using scrolling techniques (col. 5, lines 23-37).

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SPH
May 12, 2005

CHRIS GRANT
PRIMARY EXAMINER